

March 8, 2021

Dear Chairs Winfield and Stafstrom, Vice Chairs Kasser and Blumenthal, Ranking Members Kissel and Fishbein, and Members of the Joint Committee on Judiciary,

We are proud to testify in support of **Raised Bill No. 6321, An Act Concerning the Adoption and Implementation of the Connecticut Parentage Act.**

We are students at Yale Law School. Over the past two and a half years, we have worked on drafting and developing the CPA, along with approximately forty other Yale Law School students. We strongly support the Act and urge its adoption. Some of us are personally impacted by the provisions of the bill; some of us have had relevant professional experiences; and many of us feel strongly about gender equality and LGBTQ rights and intend to pursue careers dedicated to advocating for those rights.

Our work has been part of seminar courses, as well as independent research with Professor Douglas NeJaime. Working in teams and as individuals, we conducted in-depth research and assisted in drafting the statutory language of Raised Bill No. 6321. We reviewed a range of judicial decisions and statutes on parentage in order to ensure that Connecticut's laws are constitutional and meet the needs of families in our state. We also looked to current Connecticut law to ensure that we adapted the bill to Connecticut's existing laws and practices.

We met with numerous stakeholders over the past two years, including practicing attorneys, advocates, and judges, as well as state lawmakers from both parties. These meetings helped to assemble a coalition of stakeholders who would be impacted by the law, including LGBTQ organizations, family law attorneys, children's advocacy organizations, and fertility centers and advocacy organizations. Through our outreach, we invited in perspectives from all relevant Connecticut stakeholders and used their input alongside our research in drafting the language of Raised Bill No. 6321.

* * *

We are proud to support the CPA as Connecticut residents and Connecticut voters. As law students, we have lived in Connecticut's cities and towns and have engaged with the state's diverse communities through our coursework, clinical programs, activism, and personal lives. We are deeply committed to ensuring that Connecticut's legal protections extend to *all* of Connecticut's families, not just to those formed through heterosexual marriage.

For those of us who grew up in this state, that commitment runs even deeper. We have always known Connecticut as a state that recognizes the importance of supporting its families and its children. Growing up, we saw Connecticut become a national leader in affirming the rights of its LGBTQ citizens, first by recognizing civil unions in 2005 and then by legalizing same-sex marriage in 2008 (as just the third state in the country to do so). We have also reaped the benefits of living in a state with strong public schools and access to world-class pediatric care. We are proud to come from a state that provides excellent medical coverage and other important social services to at-risk children and to those in low-income households.

Today, we urge Connecticut to build on this legacy to ensure that, regardless of family formation, all families are protected statewide. Right now, our laws are lagging behind. Connecticut is the *only* New England state that does not provide protections for nonbiological nonmarital children, despite being the state with the second-highest rate of ART usage in the country¹ and being home to thousands of same-sex couples.² Raised Bill No. 6321 marks a critical step toward cementing Connecticut's legacy of protecting the dignity, health, and wellbeing of *all* its children and families.

For those of us who are part of the LGBTQ community, the CPA's provisions hit especially close to home. The CPA's provisions will help realize *Kerrigan's* promise of full equality for same-sex couples across the state. Many of us will soon be forming families. On a practical level, the CPA's provisions ensure that we will be treated equally when we do. The Act updates and streamlines Connecticut's laws regulating assisted reproduction, ensuring that same-sex couples can become parents without worrying that the state will deem them legal strangers to the children they are raising. For LGBTQ people, becoming a parent is often already an incredibly time-consuming and expensive process. The CPA reduces this stress and legal uncertainty. The Act also sends a clear message that LGBTQ parents' relationships with their children are just as valuable and deserving of respect as those of straight parents. Updating state law to reflect the diversity of Connecticut families mitigates constitutional infirmities by recognizing the dignity of all parents regardless of gender, sexual orientation, or marital status.

The CPA vindicates important commitments to gender equality. Some of us are fast approaching the years where we will think about becoming pregnant and starting families ourselves. We may turn to assisted reproductive technologies to preserve our fertility and to have children. Many law students in our cohort struggle with painful chronic conditions like endometriosis that will likely impact our ability to have children. We know the process of having children through in vitro fertilization can be expensive, exhausting, and emotional. We hope that after facing challenges in seeking to have children, we will not face challenges in being recognized as legal parents. Women and LGBTQ people who have children through assisted reproduction and who parent children to whom they are not genetically connected deserve the recognition and protection that legal parentage provides.

For those of us who anticipate careers advancing LGBTQ and gender equality, working on this bill has been an incredible opportunity to legislate our own rights—and those of past and future clients—into existence. It has been powerful to look beyond the walls of our law school and ensure Connecticut maintains its status as a national leader on the rights of same-sex couples.

During our time in law school, many of us have represented Connecticut residents in a variety of legal services clinics. Our clients include LGBTQ people, immigrants, and veterans—some of whom face obstacles in establishing secure parent-child relationships due to Connecticut's

¹ *Assisted Reproductive Technology Surveillance*, CTRS. FOR DISEASE CONTROL AND PREVENTION (Oct. 3, 2019), <https://www.cdc.gov/art/state-specific-surveillance/index.html>.

² See Gary J. Gates & Abigail M. Cooke, *Connecticut Census Snapshot: 2010*, WILLIAMS INST., <https://williamsinstitute.law.ucla.edu/wp-content/uploads/2010-Census-Snapshot-CT-Sep-2011.pdf> (last accessed Mar. 6, 2021).

outdated laws. By equalizing access to legal parentage, the CPA removes those barriers and will improve the lives of our clients and Connecticut residents who are similarly situated. Our work on Raised Bill No. 6321 has been informed by our client's stories and by our experiences working on their cases. We seek to have state law protect the Connecticut communities we serve through our clinical work.

* * *

Last year, we came before this Committee to testify to the importance and urgency of passing the Connecticut Parentage Act. Sadly, the session was cut short due to COVID-19. But the bill is no less critical this year: Indeed, the pandemic has only heightened anxieties around legal insecurity for parent-child relationships. Connecticut children deserve the security that comes with stable and legally recognized parental bonds. We urge the General Assembly to pass the Connecticut Parentage Act in order to fix existing legal deficiencies, ensure equality and security for all Connecticut families, and protect our state's children. Thank you for your consideration of our testimony regarding Raised Bill No. 6321.

Sincerely,

Megan Bowles
Amelia Dunnell
Carolina Eguchi Yamamoto
Abigail Fisch
Alexander Fischer
Calleigh Higgins
Irene Kwon
Michael Loedel
Kelly McClure
Cara Newlon
Will Poff-Webster
Sonia Qin
Sara Sampoli
Malina Simard-Halm
Rachael Stryer
Sofia Del Carmen Trevino Fernandez

Yale Law School
New Haven, CT 06511